

PROB 12B
(7/93)

United States District Court

for

District of New Jersey

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Charles Smalley

Cr.: 98-00137-001

Name of Sentencing Judicial Officer: The Honorable William H. Walls

Date of Original Sentence: 03/16/06

Original Offense: Conspiracy to Defraud the U.S. (Mail Fraud)

Original Sentence: 3 years Probation

Type of Supervision: Probation

Date Supervision Commenced: 03/16/06

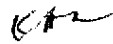
PETITIONING THE COURT

- ☐ To extend the term of supervision for _____ Years, for a total term of _____ Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition:

The defendant shall make restitution in the amount of \$204,650 in monthly payments of not less than \$50.00.

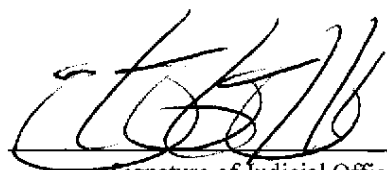
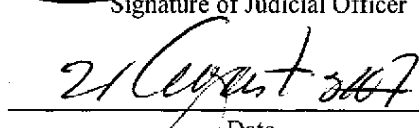
CAUSE

The U.S. Probation Office in the Eastern District of New York recently conducted a review of the offender's finances and determined that he cannot afford to pay more than \$50.00 per month toward his restitution.

Respectfully submitted, 
By: Edward J. Irwin
U.S. Probation Officer
Date: 08/13/07

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other


Signature of Judicial Officer

Date

PROB 49
(NYEP-10/28/05)

United States District Court

DISTRICT OF NEW JERSEY

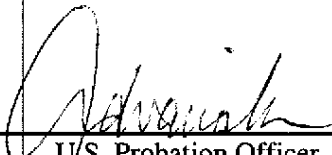
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and the assistance of counsel before any unfavorable change(s) may be made in my conditions of Probation and/or Supervised Release or before my period of supervision can be extended. By assistance of counsel, "I understand that I have the right to be represented at a hearing by counsel of my choosing if I am able to retain counsel. I also understand that I have the right to request that the Court appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel."

I hereby voluntarily waive my statutory right to a hearing and to the assistance of counsel. I also hereby agree to the following modification (s) of my conditions of Probation and/or Supervised Release or to the proposed extension of my term of supervision: wing modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision.

The remainder of the restitution shall be paid in installments of fifty (\$50.00) dollars per month over the period of supervision to commence immediately.

Witness:


U.S. Probation Officer

Signed: ☒


Probationer or Supervised Releasee

4-17-07
Date